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ABSTRACT

Reprinted are licensing standards for day care homes adopted and codified, effective July 1983, by the Illinois Department of Children and Family Services and as amended, effective January and March 1985. Sections of the report concern the purpose, definitions of terms, effective date of standards, application for license, application for renewal of license, provisions pertaining to permits, general requirements for day care homes, characteristics and qualifications of the day care family, qualifications for assistants, substitutes, admission and discharge procedures, number of children served, health and medical care, discipline of children, activity requirements, nutrition and meals, transportation of children by day care home, swimming, children with special needs, school age children, infants and toddlers, night care, records and reports, confidentiality of records and information, cooperation with the Department of Children and Family Services, and severability of this part (Part 406 of the Requirements for Licensure). Appendices provide meal pattern charts for children 0 to 12 months of age and for children over 1 year of age. (RH)

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PS 015662

ILLINOIS DEPARTMENT OF CHILDREN AND FAMILY SERVICES

TEXT OF ADOPTED RULES

SUBCHAPTER e: REQUIREMENTS FOR LICENSURE

Part 406: LICENSING STANDARDS FOR DAY CARE HOMES

Section 406.1	Purpose
Section 406.2	Definitions
Section 406.3	Effective Date of Standards
Section 406.4	Application for License
Section 406.5	Application for Renewal of License
Section 406.6	Provisions Pertaining to the License
Section 406.7	Provisions Pertaining to Permits
Section 406.8	General Requirements for Day Care Homes
Section 406.9	Characteristics and Qualifications of the Day Care Family
Section 406.10	Qualifications for Assistants
Section 406.11	Substitutes
Section 406.12	Admission and Discharge Procedures
Section 406.13	Number of Children Served
Section 406.14	Health and Medical Care
Section 406.15	Discipline of Children
Section 406.16	Activity Requirements
Section 406.17	Nutrition and Meals
Section 406.18	Transportation of Children By Day Care Home
Section 406.19	Swimming
Section 406.20	Children with Special Needs
Section 406.21	School Age Children
Section 406.22	Infants and Toddlers
Section 406.23	Night Care
Section 406.24	Records and Reports
Section 406.25	Confidentiality of Records and Information
Section 406.26	Cooperation with the Department
Section 406.27	Severability of This Part
Appendix A	MEAL PATTERN CHART FOR CHILDREN 0 TO 12 MONTHS OF AGE
Appendix B	MEAL PATTERN CHART FOR CHILDREN OVER ONE YEAR OF AGE

AUTHORITY: Implementing and authorized by The Child Care Act of 1969 (Ill. Rev. Stat., 1983, ch. 23, pars. 2211 et seq).

SOURCE: Adopted and codified at 7 Ill. Reg. 7855, effective July 1, 1983; amended at 8 Ill. Reg. 24951, effective January 1, 1985; amended at 9 Ill. Reg., effective March 1, 1985.

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Section 406.1 Purpose

The purpose of this Part is to prescribe the standards for licensure as a day care home and to describe how to apply for a license.

Section 406.2 Definitions

"Attendance" means the total number of children present at any one time.

"Authorized representative of the Department" means the licensing representative or any person acting on behalf of the Director of the Department.

"Caregiver" means the individual directly responsible for child care.

"Child" means any person under 18 years of age.

"Child care facility" means any person, group of persons, agency, association, or organization, which arranges for care or cares for children unrelated to the operator of the facility, apart from the parents in any facility as defined in the Act. Child care facilities may be established for profit or not-for-profit. "Child care facility" is further defined in paragraph 2.05 in The Child Care Act of 1969.

"Children with special needs" means children exhibit one or more of the following characteristics which is confirmed by clinical evaluation:

Visual impairment: the child's visual impairment is such that development to full potential without special services cannot be achieved.

Hearing impairment: the child's residual hearing is not sufficient to enable understanding the spoken word and to develop language, thus causing extreme deprivation in learning and communication, or a hearing loss is exhibited which prevents full awareness of environmental sounds and spoken language, limiting normal language acquisition and learning.

Physical or health impairment: the child exhibits a physical or health impairment which requires adaptation of the physical plant.

Speech and/or language impairment: the child exhibits deviations of speech and/or language processes which are outside the range of acceptable variation within a given environment and which prevent full social development.

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Learning disability: the child exhibits one or more deficits in the essential processes of perception, conceptualization, language, memory, attention, impulse control or motor function.

Behavioral disability: the child exhibits an effective disability and/or maladaptive behavior which significantly interferes with learning and/or social functioning.

Mental impairment: the child's intellectual development, mental capacity, and/or adaptive behavior are markedly delayed. Such mental impairment may be mild, moderate, severe or profound.

"Consultants" means those individuals providing technical assistance or advice regarding any aspect of the operation of the day care home.

"Day care homes" means family homes which receive more than 3 up to a maximum of 8 children for less than 24 hours per day. The maximum of 8 children includes the family's natural or adopted children and all other persons under the age of 14. The term does not include facilities which receive only children from a single household.

"Department" means the Illinois Department of Children and Family Services.

"Discipline" means the process of helping children to develop inner controls so that they can manage their own behavior in socially acceptable ways.

"Guardian" means the guardian of the person of a minor.

"Infant," as used in this Part, means a child between 6 weeks and 15 months of age.

"License" means a document issued by the Department of Children and Family Services which authorizes child care facilities to operate in accordance with applicable standards and the provisions of the Child Care Act of 1969.

"License study," as used in this Part, means the review of an application for license, on-site visit(s), interviews, and the collection and review of supporting documents to determine compliance with The Child Care Act of 1969 and the standards prescribed by this Part.

"Licensed capacity" means the maximum number of day care children under age 14 permitted in the home at any one time.

"Licensing representative" for the purposes of this Part, means those Department staff or other persons authorized under Section 5 of The Child Care Act of 1969 to examine facilities for licensure.

"Parents," as used in this Part, means those person(s) assuming legal responsibility for care and protection of the child on a 24-hour basis; includes guardian or legal custodian.

"Permit," as used in this Part, means a one-time only document issued by the Department of Children and Family Services for a two-month period to allow the individual(s) to become eligible for a license.

"Person" means any individual, group of persons, agency, association, or organization.

"Physician" means a person licensed to practice medicine in the State of Illinois.

"Program" means all activities provided for the children during their hours of attendance in the home.

"Related" means any of the following relationships by blood, marriage, or adoption: parent, grandparent, great-grandparent, great-uncle, great-aunt, brother, sister, stepparent, stepbrother, stepsister, uncle, aunt, nephew, niece, or first cousin.

"School age" means children from 6 to 14 years of age.

"Supervising agency," as used in this Part, means a licensed child welfare agency, a licensed day care agency, or the Department of Children and Family Services.

"Toddler" means a child from 15 months to 2 years of age. The term may include children up to 30 months of age depending upon physical or social development.

Section 406.3 Effective Date of Standards

The standards prescribed in this Part shall become effective upon the date they are officially adopted and published and shall apply immediately to all day care homes which are not currently licensed. Day care homes licensed at the time these rules are officially adopted and published shall have 6 months from that date to comply with the new or revised standards.

Section 406.4 Application for License

a) Application for license as a day care home shall be completed, signed by the day care home applicant(s), and filed with the Department of Children and Family Services by the supervising agency on forms prescribed by the Department.

b) Applicant(s) shall provide the supervising agency the names, addresses and telephone numbers of at least three (3) adults not related to them who can attest to their character and suitability to provide child care.

c) The supervising agency shall study each day care home under its supervision before recommending issuance of a license. The licensing study shall be conducted by a licensing representative and shall be reviewed and approved by his/her supervisor. Supervisory approval indicates recommendation for license or denial of a license and compliance or non-compliance with the standards prescribed by this Part. The study shall be in writing and shall be signed by the licensing representative performing the study and by his/her supervisor. The applicant shall receive a copy of the license study upon written request and payment of copying costs.

d) A new application shall be filed when any of the following occurs:

   1) When an application for a license has been withdrawn, and the licensee or agency seeks to reapply; or

   2) When there is a change in the name of the licensee, the address of the day care home, the supervising agency, or the area in the home used for children; or

   3) When there is a change in the status of joint licensees, such as separation, divorce or death; or

   4) When the Department has revoked or refused to renew and a new license is sought.

e) Approval of the supervising agency is required to effect changes in the license capacity or the ages of children served in conformance with the requirements of Section 406.13.

Section 406.5 Application for Renewal of License

a) Application forms for license renewal shall be mailed to day care home licensees by the supervising agency three months prior to the expiration date of the license.

b) The completed application shall be signed by the licensee(s) and submitted to the supervising agency no later than 30 days from the date mailed to licensee(s) to be considered timely and sufficient.

c) When a licensed day care home seeks to change its name, address, supervising agency or the area in the home used for children, a new application reflecting the change(s) must be completed, signed by the licensee(s) and submitted to the supervising agency thirty days prior to the effective date of the change(s) for the application to be considered timely and sufficient.

d) When a licensee has made timely and sufficient application for renewal of a license or a new license with reference to any activity of a continuing nature and the Department fails to render a decision on the application for renewal of the license prior to the expiration date of the license, the existing license shall continue in full force and effect for up to thirty (30) days until the final Department decision has been made. Upon a showing of good cause by the licensee, supervising agency, or the Department, the Department shall further extend the period in which such decision must be made in individual cases for up to 30 days. "Good cause" includes but is not limited to shortages of staff or the absence of the licensee(s) from the day care home. Both the request for the second extension and the Department's decision on that request shall be in writing.

e) Upon receipt of the application for license renewal, the supervising agency shall conduct a license study in order to determine that the day care home continues to meet licensing standards. The licensing study shall be in writing and shall be reviewed and signed by the licensing supervisor and the licensing representative performing the study. The licensee(s), shall receive a copy of the license study upon written request and payment of copying costs.

Section 406.6 Provisions Pertaining to the License

a) A day care home license is valid for 2 years unless revoked by the Department or voluntarily surrendered by the licensee.

b) The number of children cared for in the day care home at any one time shall not exceed the license capacity.

c) The age limits specified on the license shall be observed.

d) Child care may be provided only in those areas specified on the license.

e) The license is valid only for the family residence of the licensee and shall not be transferred to another person.

f) The license shall not be valid for a name or an address other than the name and address on the license.

g) The license shall be prominently displayed in the home.

h) There shall be no fee or charge for the license.

(Source: Amended at 9 Ill. Reg. , effective March 1, 1985)

Section 406.7 Provisions Pertaining to Permits

a) A permit shall not be issued until:

1) The application for license has been completed and signed by the applicant(s) and submitted to the Department;

2) Character references have been requested, and at least two favorable references have been received.

3) A personal visit to the home by a licensing representative has been completed. The purpose of this visit is to determine compliance with all the licensing requirements except the requirements for remaining character references, medical examination reports, and well water tests compliance which may be complied with within the two month period covered by the permit. However, when well water tests are required, applicants must agree to boil all drinking and cooking water and to provide only bottled water for infants until the test results are received;

4) A written plan has been submitted to the licensing representative which indicates that requirements for a license shall be met within the two month permit period.

b) A permit shall not be issued retroactively.

c) Permits shall not be transferred to another person, organization or supervising agency.

d) Permits shall not be valid for a name or address different from the name and address shown on the issued permit.

e) Permits shall not be renewable.

f) A current permit shall be available in the day care home at all times.

g) A license shall be issued at any time within the two month period covered by the permit provided that the day care home achieves compliance with the Department's licensing standards.

h) The day care home shall adhere to the provisions or restrictions specified on the permit.

i) There shall be no fee or charge for the permit.

Section 406.8 General Requirements for Day Care Homes

a) The physical facilities of the home, both indoors and outdoors, shall meet the following requirements for safety to children.

1) The home shall have a first aid kit consisting of band-aids, sterile gauze pads, adhesive tape, tweezers and mild soap.

2) The kitchen shall be equipped with a fire extinguisher.

3) Electrical outlets that are within reach of children shall have protective coverings. There shall be no exposed or uninsulated wiring.

4) The home shall be equipped with a minimum of one smoke detector on every floor level, including an attic and basement.

5) Space heaters, fireplaces, radiators, and other heating sources in areas occupied by children shall be separated by partitions or a sturdy barrier to prevent contact.

6) Facilities in which a wood-burning stove or fireplace has been installed shall furnish a written statement from a building inspector, heating and ventilating contractor, local fire inspector or the Office of the State Fire Marshal, certifying its safety upon installation. In addition, the supervising agency shall require such a certification of safety for any heating installation, appliance or device it has reason to believe to be unsafe.

7) Where the basement area may be utilized for child care, at least one exit shall be provided directly to the outside at grade level. An operable window may be considered one means of exit, if large enough and accessible enough to accommodate an adult.

8) All walls and surfaces shall be free from chipped or peeling paint.

9) Walls of rooms that children use shall be maintained free of lead paint.

10) Furniture and equipment shall be kept in safe repair.

11) First-aid supplies, medication, cleaning materials, poisons, and other hazardous materials shall be stored in places inaccessible to children.

12) Tools and gardening equipment shall be stored in locked cabinets, if possible, or in places inaccessible to all children.

13) Ammunition and firearms located anywhere on the premises shall be locked at all times in a closet, cabinet, or other locked storage facility whenever children are present.

14) There shall be plans for immediate evacuation in case of emergency. Monthly fire drills shall be conducted for the purpose of removing children from the home as quickly as possible. Records shall be maintained of the dates and times fire drills are conducted.

15) Exit doors shall be kept clear of equipment and debris at all times.

16) There shall be an operable telephone available on the premises of the licensee.

17) All in-ground or above-ground swimming pools located in areas accessible to children shall be fenced. The fence shall be at least 3½ feet in height and secured by a locked gate.

18) Portable wading pools shall be emptied daily and cleaned with a germicidal solution before being air-dried.

b) The kitchen shall be clean, equipped for the preservation, storage, preparation and serving of food, and shall be reasonably safe from hazards.

c) Garbage and refuse containers used to discard diapering supplies, food products or disposable meal service supplies in areas for child care shall be cleaned daily with a germicidal solution unless plastic liners are used and disposed of daily.

d) A safe and sanitary water supply shall be maintained. If a private water supply is used instead of an approved public water supply, the applicant shall supply written records of current test results indicating the water supply is safe for drinking. New test results must be provided prior to relicensing. If nitrate content exceeds 10 parts per million, bottled water must be used for infants.

e) Hot and cold running water shall be provided.

f) Insect and rodent control shall be maintained.

1) All outside doors except those with operable self-closing devices, operable windows, and other openings used for ventilation shall be screened.

2) Chemicals for insect and rodent control shall not be applied in areas accessible to children when children are present.

g) Healthy household pets which present no danger to children are permitted.

1) A licensed veterinarian shall certify that the animals are free of diseases that could endanger the children's health and that dogs and cats have been inoculated for rabies.

2) If certification is not available, animals shall be confined at all times in an area inaccessible to children.

3) There shall be careful supervision of children who are permitted to handle and care for the animals.

4) Immediate treatment shall be available to any child who is bitten or scratched by an animal.

h) Indoor space shall consist of a clean, comfortable environment for children.

1) The day care home shall be well-ventilated, free from observable hazards, properly lighted and heated, and free of fire hazards.

2) The dwelling shall be kept clean, sanitary, and in good repair.

3) There shall be provision for isolating a child who becomes ill or who is suspected of having a contagious disease.

4) When used for child care, basement floors shall have protective covering such as, but not limited to, tile, carpet, linoleum.

i) There shall be safe outdoor space for active play.

1) Space shall be provided for play in yards, nearby parks or playgrounds.

2) Space shall be protected by physical means or by adult caregiver supervision against all hazards such as pools, traffic, and construction.

3) Play areas shall be well drained and safely maintained.

4) If public parks or playgrounds are used for play, the children shall be closely supervised by the caregiver during play and while traveling to and from the area.

5) Supervision shall be provided during outdoor play by caregivers who meet the requirements of Section 406.9 below.

j) Operation of other business on the premises must not interfere with the care of children.

k) A day care home may not house bedridden or chronically ill persons except by permission of the supervising agency. The supervising agency shall grant such permission unless the person has a contagious or communicable disease or requires care which adversely affects the ability of the caregiver to supervise children.

(Source: Amended at 9 Ill. Reg. , effective March 1, 1985.)

Section 406.9 Characteristics and Qualifications of the Day Care Family

a) No individual shall be in contact with children cared for in a day care home who, within the preceding 10 years:

1) has been identified through circuit court (juvenile, criminal, civil) proceedings as having been a perpetrator of child abuse,

child neglect, or child sexual abuse or through the Department's investigatory process in accordance with the Abused and Neglected Child Reporting Act (Ill. Rev. Stat. 1983, ch. 23, pars. 2051 et seq.) as having been a perpetrator of an indicated incident of child abuse, child neglect, or child sexual abuse; or

2) is awaiting an investigative decision or trial on such charges.

b) For the purposes of Section 406.9(a) (1) identification through circuit court proceedings includes:

1) specific findings by a court that a child's neglect or dependency is the result of physical abuse inflicted by a parent, guardian or legal custodian.

2) criminal convictions and civil judgments regardless of the type of sentence imposed or amount of damages recovered for offenses relating to child abuse, child neglect or child sexual abuse resulting from jury trials, bench (court) trials or voluntary guilty pleas.

c) Except as stated in Section 406.9(a) an individual convicted of a crime will not automatically be prohibited from contact with children cared for in a day care home solely because of the conviction. Instead, the supervising agency shall consider the following:

1) The type of crime for which the individual was convicted;

2) The number of crimes for which the individual was convicted;

3) The nature of the offense(s);

4) The age of the individual at the time of conviction;

5) The length of time that has elapsed since the last conviction;

6) The relationship of the crime and the capacity to care for children;

7) Evidence of rehabilitation; and

8) Opinions of community members concerning the individual in question.

d) Members of the household who have contact with the children in care shall treat them with respect, courtesy, and patience.

e) The caregiver is responsible for the day-to-day operation of the day care home in accordance with the standards prescribed in this Part.

f) The caregiver(s) in a day care home shall be at least 18 years of age.

g) The caregivers and all members of the household shall provide medical evidence as required by Section 406.24 h) that they are free of communicable disease, and, in the case of caregivers, free of physical or mental conditions which could interfere with the child care responsibilities.

h) Through interaction with the licensing representative, children, parent(s) or guardian of children in care and operation of the day care home in accordance with standards prescribed by this Part, caregivers shall exhibit competence in the following specific areas:

1) Knowledge of basic hygiene, safety, and nutrition.

2) The ability to relate comfortably with parents and to communicate with them on differences in caregiving methods, values, and goals.

3) The ability to communicate with children.

4) The ability to set realistic controls for children and to enforce these without harshness or physical abuse.

5) Knowledge of the child's need to explore and manipulate and the willingness to provide and maintain a home where children can enjoy living and learning.

i) The caregiver(s) may not be employed outside the home during the hours that child care is being provided.

(Source: Amended at 9 Ill. Reg. , effective March 1, 1985 .)

Section 406.10 Qualifications for Assistants

a) The person assisting the caregiver shall be at least 14 years of age.

b) Assistants shall work under the personal supervision of the caregiver at all times.

c) The assistant shall be compatible with the caregiver, capable of following directions, and responsive to supervision.

d) The child care assistant shall be able to relate well with children.

Section 406.11 Substitutes

a) A substitute caregiver may be utilized in the home twice a month.

b) A substitute caregiver shall be at least 18 years of age.

c) A person who functions as a substitute caregiver on a regular or scheduled basis shall be qualified as a caregiver in accordance with Section 406.9.

d) The parent(s) of children in care and the supervising agency shall be notified of any substitution which occurs on a regular or scheduled basis or wherein the caregiver is absent from the home for more than 24 consecutive hours during which children are in care.

e) The caregiver shall have on file the names, addresses, and telephone numbers of additional adult(s) who would be available to assist in the home in an emergency.

f) The caregiver shall have a plan worked out and understood by the parents in case the caregiver is ill or absent from the home due to an emergency.

Section 406.12 Admission and Discharge Procedures

a) Children served in a day care home shall not remain on the premises for more than 12 hours in any 24-hour period.

b) Prior to acceptance of a child for care, the caregiver shall require that the parent or guardian accompany the child to the home to become acquainted with the caregiver and with the service to be provided.

c) The parent(s) or guardian shall be permitted to visit the home, without prior notice, during the hours their child(ren) is/are in care.

d) A child shall be discharged from the facility only to the child's parent(s) or guardian or to a person designated in writing by the parent(s) or guardian to receive the child.

e) The caregiver shall refuse to release a child to any person, whether related or unrelated to the child, who has not been authorized, in writing, by the parent(s) or guardian to receive the child. Persons not known to the caregiver shall be required to provide a driver's license (with photo) or photo identification card issued by the Illinois Secretary of State to establish their identity prior to a child's release to them.

f) The facility shall maintain a list of persons designated, in writing, by the parent(s), or guardian to whom the facility can be expected to discharge the child at least once per week. These persons, in addition to the parent(s) or guardian, shall constitute the primary list of persons to whom the child may be released. In addition, the facility shall maintain a contingency list of persons designated, in writing, by the parent(s) or guardian to whom the child may be released less frequently than once per week. When the child is released to a person on the contingency list, the facility shall maintain a record of the person to whom the child was released, the date and time that the child was released, and the manner that the child left the facility (whether on foot, by passenger car, by taxicab or other means of transportation.)

g) Other discharge provisions of this Section notwithstanding, a child leaving the day care home to attend school shall be released in accordance with the written authorization of the parent(s) or guardian. Such authorization shall include the time that the child is to be released and the means of transportation the child is to use.

(Source: Amended at 9 Ill. Reg. , effective March 1, 1985 .)

Section 406.13 Number of Children Served

a) The maximum number of children permitted in a day care home shall be 8 children under the age of 14, including own children, related children and unrelated children.

b) A caregiver alone may care for up to 4 children under 5 years of age, and 4 over 5 years of age. No more than 3 children shall be under 2 years of age.

c) An assistant is required for more than 4 children under 5 years of age. With one assistant utilized, no more than 4 children shall be under 2 years of age.

d) The following exception to subsection 406.13 c) is permitted: 6 children, 3 through 5 years of age may be cared for with no assistant required. No more than 3 of the 6 shall be under 4 years of age. In this situation, the additional 2 children to reach maximum capacity shall be 9 years of age or older.

Section 406.14 Health and Medical Care

a) The caregiver shall conduct a daily, pre-admissions screening to determine if the child has obvious symptoms of illness. If symptoms of illness are present, the caregiver shall determine whether or not to provide care for the child, depending upon the apparent degree of illness, other children present, and facilities available to provide care for the ill child.

b) Necessary medications shall be administered according to specific instructions.

1) Prescription medicine labels must bear the child's name, the physician's name, the name of the drug store or pharmacy, prescription number, date of the prescription, and directions for administering.

2) Non-prescription medication may be administered upon written parental permission. Such medication shall be administered in accordance with package instructions, and, except for aspirin and aspirin substitutes, shall be labeled with the child's name and dated.

3) There shall be a signed statement by the child's parent or guardian giving permission to the caregiver to administer medication to the child.

4) The caregiver shall maintain a record of the dates, hours and dosages which are given.

5) Medical services, such as direct medical care to the child, shall be administered as required by a physician, subject to the receipt of appropriate releases from parents.

c) Personal hygiene standards, such as the following, shall be observed:

1) Each child shall be provided with an individual towel, washcloth, and drinking cup. Single-use, disposable articles are acceptable.

2) A separate sleeping arrangement, such as a bed, cot, crib, or playpen with individual bedding shall be provided for each child. A twin size bed may be used, for 2 children under age 4, provided each child shall have individual sheets.

A) The bed shall be kept in a clean and sanitary condition at all times, and bedding shall be suitable for the season.

B) Family beds may be used for children if separate linens are used.

C) Rubber sheets shall be used when necessary.

3) The caregiver shall require parents to supply clothing suitable to weather conditions, as well as a complete change of clothing in case of need.

4) Caregivers and children shall wash and dry their hands before meals and after toileting.

5) Sheets shall be changed when soiled and at least weekly.

6) Clothing soiled due to toilet accidents shall be changed immediately.

d) There shall be an emergency plan for each child in case of accident or sudden illness.

1) The caregiver shall have available at all times the name, address, and telephone number where the child's parents or guardian, relative, friend, or physician, and the Department can be reached.

2) There shall be a planned source of readily available emergency medical care; a hospital emergency medical room, clinic, or the child's physician.

3) When the caregiver accompanies a child to the source of emergency care, an adult who meets the standards prescribed by Section 406.11, must assume supervision of other children in the home.

4) In case of illness or accident, the parent, guardian, or supervising agency responsible for the child shall be notified immediately, and the child shall be removed from the home as soon as possible.

Section 406.15 Discipline of Children

a) The caregiver shall use disciplinary measures designed and carried out in such a way as to help individual children develop self-control and assume responsibility for their own acts.

1) The caregiver shall establish simple, understandable rules so that expectations and limitations are clear to the child.

2) Discipline shall not be out of proportion to the particular inappropriate behavior.

3) Discipline shall be related to the child's act and be handled immediately by the adult involved so the child is aware of the relationship between acts and consequences.

4) Removal from the other children as a means of helping a child gain control shall be for period of time up to 15 minutes.

b) No child shall be subjected to extreme punishment.

1) No child can be subjected to physical punishment, nor can shaming, frightening, or humiliating methods be used.

2) There can be no verbal abuse, threats, or derogatory remarks about the child or the child's family.

3) Depriving a child of meals or any part of meals shall never be used as punishment.

4) No child shall be punished for toilet accidents.

Section 406.16 Activity Requirements

a) The caregiver and parent shall discuss the child's health, development, behavior and activities to ensure consistency in planning for the child.

b) The daily activities shall be well-balanced and geared to the needs of the children served.

1) The activities shall be informal, providing a family atmosphere that promotes the physical and emotional well-being of the individual.

2) Children shall be encouraged to participate in age appropriate household routines such as preparing food, setting tables, and cleaning up.

3) Regularity in routines such as, but not limited to, eating, napping, and toileting, with sufficient flexbility to respond to the needs of the individual shall be provided.

4) A balance of active and quiet play shall be provided.

5) There shall be activities, both indoors and outdoors, in which children make use of both large and small muscles.

6) There shall be a variety of chores and activities at the child's developmental level.

7) Each child's individuality shall be respected and a sense of self and development of self esteem shall be encouraged.

8) Children shall not be left unattended and supervision shall be provided at all times.

c) The materials and equipment and their arrangements and use must be appropriate to the developmental needs of the children in care.

1) Simple play equipment, suitable to the age and developmental needs of the children, shall be available for use indoors and outdoors.

2) Materials and toys shall be kept clean, orderly, attractive, and accessible to the children.

3) There shall be stimulating play and learning materials; these may include household items used creatively.

4) Materials and equipment must be of sufficient quantity to provide for a variety of experiences and to appeal to the individual interests of the children under care.

Section 406.17 Nutrition and Meals

a) Meals and snacks shall be provided by the facility in a quantity and of such quality as to meet the daily nutritional needs of the child.

b) Food requirements for children between birth and the age of eating table food shall be geared to the individual needs of the child and determined by consultation with the parents. The facility shall provide one-third to two-thirds of the daily nutritional requirements, depending on the length and time of day of the child's stay. The main meal shall be nutritionally balanced conforming to age appropriate portions and variety as reflected in the Meal Pattern Charts, Appendices A and B.

c) Children one year of age and older in attendance for more than two but less than five hours shall be served a mid-session snack consisting of one-half cup of pure fruit juice or full-strength canned or frozen fruit juice which contains at least 30 milligrams of Vitamin C per serving, or one to one-half cup of pasteurized milk, or one serving of citrus fruit.

d) Children one year of age and older in attendance five to ten hours shall be served at least one-third of their daily food requirements, which shall include a well-balanced, nutritive meal. Occasional picnic-type meals may be substituted for a main meal. Mid-morning and mid-afternoon snacks consisting of fruit, fruit juice, or pasteurized milk (as prescribed under Section 406.17 (c) above) shall be included. Children in attendance for over ten hours shall be served food to provide at least two-thirds of their daily food requirements. Two meals and the supplemental snacks will meet this requirement. One of the meals may be breakfast or supper, depending on the time the child arrives or departs.

e) Children shall be served small servings of bite-size pieces.

f) All meals shall be suitable for children and prepared by methods designed to conserve nutritive value, flavor, and appearance.

g) Drinking water shall be readily available to the children at all times.

h) Mealtimes shall be pleasurable experiences for the child.

   1) There shall be enough time allowed for meals so the children can eat in an unhurried atmosphere.

   2) Children shall be encouraged but not forced to try new foods.

3) Information provided by parents concerning the child's eating habits, food preferences, or special needs should be considered in planning menus.

4) Food preferences and eating habits shall not be permitted to become a source of friction at mealtimes.

5) Mealtimes should occur in a social atmosphere and afford children the close presence of an attentive adult.

Section 406.18 Transportation of Children By Day Care Home

a) Children may be transported only by persons 18 years of age or older in the child/adult ratio prescribed in Section 406.13.

b) Caregivers shall be responsible for assuring the safe transport of children.

c) Each child shall be individually fastened into a suitable infant or child restraint device which is federally approved and labeled as such whenever the vehicle is in motion.

d) While transporting children, the driver shall be responsible for seeing that:

1) Each child shall board or leave the vehicle from the curb side of the street, and shall be safely conducted to the home or facility.

2) A responsible person as designated by the child's parent(s) or guardian shall receive the child when delivered to the home or the facility.

e) No child shall be left unattended in a vehicle.

f) The vehicle shall be safely equipped and the caregiver shall comply with state and local laws pertaining to vehicles.

1) The vehicle shall be equipped in accordance with requirements of the Illinois Vehicle Code (Ill. Rev. Stat. 1981, ch. 95½, §12-100 et seq) and local vehicle safety ordinances.

2) Evidence of compliance regarding vehicle liability and medical insurance shall be on file with the home records. Evidence may

consist of but is not limited to, a copy of an insurance policy, binder or certificate; or a letter from the insurance carrier.

3) The vehicle shall be equipped with safety locking devices on doors.

Section 406.19 Swimming

a) Swimming activities shall be supervised for safety.

b) All children must be directly supervised (caregiver physically present with the children) at all times when children are wading or swimming.

c) A second adult shall be available to supervise any children not swimming.

Section 406.20 Children with Special Needs

a) Children identified as having special needs shall have activities relating to those needs that are planned with parents and/or consultants.

b) There shall be suitable space and equipment so that the child can function as safely and independently as possible.

1) Areas of the home shall be adapted as necessary if special devices are required for the child to function independently.

2) Space needs shall be determined by considering such factors as age and size of the child, activity recommendation, and ambulation problems.

c) In determining license capacity, children who have special needs due to physical, mental, and/or emotional disabilities shall be considered at the age level at which they function. The age level at which the child functions for purposes of determining child/staff ratios shall be determined by the supervising agency in consultation with personnel involved in providing care or services for the child.

Section 406.21 School Age Children

a) A day care home receiving children within the school age range shall comply with the standards for day care homes except when inconsistent with the special requirements in this Section.

b) Programs and activities that meet the developmental needs of school age children shall be provided.

1) Outdoor and indoor activities shall be provided.

2) Children who have been in school all day shall have time set aside for relaxation and recreation.

3) There shall be opportunity for study in a quiet area.

4) Children shall be able to participate in after school activities sponsored by the school upon written permission from the parent(s).

5) Age appropriate materials shall be provided, including, but not limited to: puzzles, games, books, art supplies.

c) Nutritional needs shall be fulfilled.

1) A snack shall be served when children arrive at the home after school in accordance with Section 406.17 (c).

2) Children who come to the home from school for lunch shall be served a nutritionally balanced meal in accordance with Section 406.17 (c).

d) Areas of responsibility shall be clearly established and agreed to in writing between parent, school, and caregiver including, but not limited to:

1) Children leaving the day care home to go to school.

2) Children leaving school to go home.

3) Children leaving the day care home for any reason.

4) Children participating in after school activities or visiting friends.

Section 406.22 Infants and Toddlers

a) A day care home receiving children within the infant/toddler age range shall comply with the standards prescribed for day care homes except when inconsistent with the special requirements in this Section.

b) Infants and toddlers shall be provided a daily program that is designed to meet their needs.

1) The caregiver shall demonstrate warm, positive feelings toward each infant through actions such as hugging, patting, smiling, and cuddling.

2) Routines such as naps and feedings shall be discussed with the parents and shall be consistent with the child's routine at home.

3) Infants who are awake shall be moved to different positions and shall be held, rocked, and carried about.

4) The caregiver shall frequently change the place, position, and toys available for infants who cannot move about the room.

5) Consistent toilet training shall be undertaken at a time mutually agreed upon by parent and caregiver in accordance with the child's age and/or stage of development.

6) Children shall be taken outdoors for a portion of every day, when weather permits, except when the child is ill or unless indicated otherwise by parent or physician.

c) Feeding schedules and procedures shall meet the developmental needs of the children.

1) Flexible feeding schedules of infants shall be established to coordinate with parents' schedules at home and to allow for nursing infants.

2) Infants who cannot yet turn over alone shall be placed on their abdomens after feeding unless contraindicated by a physician.

3) Infants up to 6 months of age shall be held while being bottle-fed. Infants of more than 6 months may be held, if needed. Bottles shall not be propped at any time. When infants are old enough to hold their own bottles, they may feed themselves without being held. The bottle must be removed when the child has fallen asleep.

4) Infants shall be allowed and encouraged to feed themselves when they indicate a readiness to do so.

5) Safe finger foods such as those which dissolve in the mouth may be provided.

d) Proper standards of hygiene shall be observed in the home.

1) Hands shall be washed and dried before the feeding of each child.

2) If the child's formula is brought in by the parent, it shall be labeled and placed in the refrigerator.

3) All utensils shall be washed after each use.

4) If food is fed to infants from jars, the leftovers shall be labeled with the infant's name and refrigerated immediately. All opened food shall be used within 24 hours.

5) A toilet shall be easily accessible so that the contents of diapers may be disposed of before placing the diapers in the diaper pail.

6) Persons changing diapers shall wash hands under running water with soap after each change of diaper.

7) The child whose diapers are being changed is to be washed on the hands and anal area if there has been defecation or if irritation is present.

8) Individual sheets or towels shall be placed under the child when changing diapers.

9) The toilet seat or potty shall be cleaned after every use.

10) Soiled diapers shall be changed promptly.

11) Sheets shall be changed when soiled, and all sheets shall be changed routinely two times per week.

12) All beds shall be wiped clean as often as necessary.

13) Toys and equipment shall be kept clean.

e) The equipment must be appropriate to the developmental needs of the child in care.

1) Safe, sturdy, well-constructed individual cribs, playpens, or port-a-cribs for infants shall be equipped with good firm, fitting mattresses made of waterproof materials that can be washed. Washable cots may be used for toddlers.

2) Sleeping equipment for infants must have protection to prevent falls.

3) There shall be no more than one-and-one-half inches of space between the mattress and bed frame when the mattress is pushed flush at one corner of the crib.

4) Bed linens used on the cots, cribs, or playpens shall be safe, tightly fitting, and washable.

5) Conveniently located, washable, plastic-lined covered receptacles shall be provided for soiled diapers and linens.

6) A toilet seat or potty shall be provided.

f) The materials must be appropriate to the developmental needs of the child in care.

1) Provision shall be made for an adequate supply of individual diapers, clothing, powder, oil, etc.

2) Cribs shall be equipped with brightly colored hanging toys or mobiles.

3) There shall be a variety of toys and art materials for infants and toddlers to observe, grasp, pick up, and manipulate.

4) Pull toys, pounding toys, large hollow blocks, or large balls shall be available for development of large muscles.

Section 406.23 Night Care

a) A day care home receiving children for night care shall comply with the standards prescribed for day care homes in addition to the special requirements prescribed in this Section.

b) The child shall be bathed, if needed.

c) No child under 5 years of age is to be left unattended while in the bathtub.

d) Each child must have individual sleeping garments that are clean and comfortable.

e) Bed, crib, or cot and individual linen and bedding shall be provided for each child except as herein provided:

1) A double bed shall be the minimum size for sleeping two non-enuretic children of the same sex.

2) Rubber sheets or suitable substitutes shall be supplied when necessary.

3) If a crib is used there shall be no more than one-and-one-half inches of space between the mattress and bed frame when the mattress is pushed flush at one corner of the crib.

f) A child who goes to school from a home providing night care shall be clean and properly dressed according to the weather.

g) Each child shall have individual toilet articles such as comb, toothbrush, towel, and washcloth.

h) Health care routines at bedtime and/or upon rising shall include:

1) Brushing teeth at bedtime and upon rising.

2) Brushing or combing the hair upon rising.

3) Establishing a routine for toileting at bedtime and upon rising.

i) When possible, children shall be left for care and picked up either before or after their normal sleeping period so that there is minimum disturbance of the child during sleep.

j) The home shall serve meals and snacks that supplement food served at home as prescribed in Section 406.17.

1) An evening meal that meets nutritional requirements shall be served at a regular time each evening and shall be available to children who may arrive without having first eaten.

2) A bedtime snack shall be served, unless contraindicated by parents or physician in accordance with Section 406.17 (c).

3) Children who remain overnight and go to school directly from the home shall have breakfast, including juice or fruit, unless they are receiving breakfast at school.

Section 406.24 Records and Reports

a) Records as required shall be maintained on forms supplied by the Department.

b) Information about the child and family shall be confidential as required by Section 406.25.

c) There shall be a record of identifying information on each child received at the time the child is accepted into the home.

d) A medical report for each child, on forms provided by the Department, shall be maintained at the facility, dated no earlier than 6 months prior to enrollment, and signed by the examining physician or certified by a recognized health facility.

1) The medical report shall be valid for two years except that subsequent exams for school age children shall be in accordance with the Illinois School Code requirements, provided that copies of the exam are on file at the facility.

2) A tuberculin test shall be included in the initial exam only.

3) The reports shall indicate that the child has been immunized as required by Rules and Regulations of the Illinois Department of Public Health for immunizations. These required immunizations are poliomyelitis, measles, rubella, diphtheria, mumps, pertussis, and tetanus.

4) The report shall include a statement on any physical limitations.

5) Exceptions made for children who for medical reasons should not be subjected to immunizations or a tuberculin test shall be so indicated by the physician on the child's medical form.

e) There shall be signed consent forms from the parent or guardian including:

1) Permission for emergency medical care and treatment if the parent is not readily available.

2) Permission to administer medication, if applicable.

3) Permission for someone other than parent or guardian to pick up child if necessary.

4) Visits, trips or excursions off the premises.

5) Transportation provided by caregiver.

6) Permission to use the facility's swimming pool, if applicable.

f) The caregiver shall distribute a summary of the licensing standards, provided by the Department, to the parent(s) or guardian of each child at the time that the child is accepted for care in the home. A summary of licensing standards shall be issued to the parent(s) or guardian of each child currently in care within sixty (60) days of the effective date of this rule. In addition, consumer information materials provided by the Department including, but not limited to, information on reporting and prevention of child abuse and neglect and preventing and reporting communicable disease, shall be distributed to the parent(s) or guardian of each child cared for when designated for such distribution by the Department. Each child's record shall contain a statement signed by the child's parent(s) or guardian, indicating that they have received a summary of licensing standards and other materials designated by the Department for such distribution.

g) In accordance with the Child Care Act of 1969, as amended, a parent may request that immunizations, physical examinations, and/or medical treatment be waived on religious grounds. A request for such waiver shall be in writing, signed by the parent, and kept in the child's record.

h) Members of the household and assistants shall have a complete physical examination. The medical reports shall be submitted on forms provided by the Department.

1) The report shall be based on an examination which occurred no earlier than 6 months prior to application, with a tuberculin test to be included in the initial exam only. If the skin test is positive, a chest x-ray is required.

2) Immunizations and the tuberculin test for an infant shall be given at the discretion of the physician.

3) The caregivers and assistants shall be found free of communicable diseases and shall be physically and emotionally fit to care for young children.

i) The medical report for caregivers and assistants shall be valid for 2 years.

j) Evidence of freedom from communicable disease or illness may be required at any time for members of the household and assistants.

k) Suspected child abuse and/or neglect shall be reported to the Department immediately.

l) The supervising agency shall be notified immediately by telephone, and in writing within one week, if either of the following situations involving children occurs at the facility:

1) Accident or injury resulting in death or requiring emergency medical care; or

2) Notice is received of legal action against the facility.

m) The supervising agency shall be notified immediately by telephone and in writing within one week, of fires or other incidents resulting in structural damage to the day care home. A supervisory visit will be conducted by the supervising agency to determine the safety of the licensed premises in conformance with the other provisions of this Part.

(Source: Amended at 9 Ill. Reg. , effective March 1, 1985 .)

Section 406.25 Confidentiality of Records and Information

a) The caregiver shall respect the confidential nature of the child and family records.

b) Information pertaining to the admission, progress, health, or discharge of an individual child shall be confidential and limited to authorized representatives of the supervising agency, the Department, caregivers and assistants unless the parent(s) of the child has granted written permission for its disclosure or dissemination.

1) The facility shall have confidentiality release forms signed by the parents which specifies to whom information may be released and how long the release form is valid. Such release forms shall be on file at the facility prior to release of information.

2) If information is requested by outside persons or agencies, a specific written request signed by the person requesting the information shall be obtained and placed on file at the facility prior to the release of confidential information.

3) Except in extreme emergency or when there is evidence of child abuse, any child 12 years of age or older must be informed of such disclosure of information.

Section 406.26 Cooperation with the Department

Authorized representatives of the supervising agency or the Department shall be admitted to the facility during the facility's hours of operation for the purpose of determining compliance with the Child Care Act of 1969 and standards set forth in this Part.

Section 406.27 Severability of This Part

If any court of competent jurisdiction finds that any rule, clause, phrase, or provision of this Part is unconstitutional or invalid for any reason whatsoever, this finding shall not affect the validity of the remaining portions of this Part.

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APPENDIX A
MEAL PATTERN CHART FOR CHILDREN
0 - 12 MONTHS OF AGE

MEAL	Ages 0-4 Months	Ages 4-8 Months	Ages 8-12 Months
BREAKFAST			
Infant Formula (iron fortified)	4-6 ounces	6-8 ounces	6-8 ounces*
Infant Cereal (iron fortified)	0	1-3 tablespoons	2-4 tablespoons
SNACK (Supplement)			
Infant Formula (iron fortified)	4-6 ounces	2-4 ounces	2-4 ounces
or full strength fruit	0	2-4 ounces	2-4 ounces
or whole fluid milk	0	0	2-4 ounces
Enriched or whole-grain bread	0	0-1/4 slice**	0-1/4 slice**
or cracker-type product (suitable for infants)	0	0-2 crackers**	0-2 crackers**
LUNCH OR SUPPER			
Infant Formula (iron fortified)	4-6 ounces	6-8 ounces	6-8 ounces*
Infant Cereal (iron fortified)	0	1-2 tablespoons	
strained fruit and/or vegetable (to total)	0	1-2 tablespoons	3-4 tablespoons
Strained meat, fish, poultry, or egg yolk	0	0-1 tablespoon**	1-4 tablespoons
or cheese	0	0-1/2 ounce**	1/2-2 ounces
or cottage cheese, cheese food, or cheese spread	0	0-1 ounce**	1-4 ounces

* or 6-8 ounces of whole milk and 0-3 ounces of full strength fruit juice

** These items are suggested, not required. Parents should ask their doctor if they have questions about what their baby should eat.

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APPENDIX B
MEAL PATTERN CHART FOR CHILDREN OVER ONE YEAR OF AGE

	BREAKFAST Ages			LUNCH/SUPPER Ages		
	1 to 3	3 to 6	6 to 12	1 to 3	3 to 6	6 and older[1]
MILK						
Milk, fluid	1/2 cup[2]	3/4 cup	1 cup	1/2 cup[2]	3/4 cup	1 cup
VEGETABLES AND FRUITS[4]						
Vegetable(s) and/or fruit(s)	1/4 cup	1/2 cup	1/2 cup	1/4 cup total	1/2 cup total	3/4 cup total
or						
Full-strength vegetable or fruit juice or an equivalent quantity of any combination of vegetable(s), fruit(s), and juice.	1/4 cup	1/2 cup	1/2 cup			
BREAD AND BREAD ALTERNATES[3]						
Bread	1/2 slice	1/2 slice	1 slice	1/2 slice	1/2 slice	1 slice
or						
Cornbread, biscuits, rolls, muffins, etc.	1/2 serving	1/2 serving	1 serving	1/2 serving	1/2 serving	1 serving
or						
Cold dry cereal	1/4 cup or 1/3 oz.	1/3 cup or 1/2 oz.	3/4 cup or 1 oz.			
or						
Cooked cereal	1/4 cup	1/4 cup	1/2 cup			
or						
Cooked pasta or noodle products	1/4 cup	1/4 cup	1/2 cup			
or						
Cooked cereal grain or an equivalent quantity of any combination of bread/bread alternate	1/4 cup	1/4 cup	1/2 cup			
Cooked pasta or noodle products or cooked cereal grains or an equivalent quantity of any combination of bread/bread alternate				1/4 cup	1/4 cup	1/2 cup
MEAT AND MEAT ALTERNATES						
Lean meat or poultry or fish[5]				1 oz.	1 1/2 oz.	2 oz.
or						
Cheese				1 oz.	1 1/2 oz.	2 oz.
or						
Eggs				1 egg	1 egg	1 egg
or						
Cooked dry beans or peas				1/4 cup	3/8 cup	1/2 cup
or						
Peanut butter or an equivalent quantity of any combination of meat/meat alternate				2 tbsp.	3 tbsp.	4 tbsp.

[1]Children age 12 and up may be served adult-size portions based on the greater food needs of older boys and girls, but shall be served not less than the minimum quantities specified for children age 6 up to 12.

[2]For purposes of the requirements outlined, a cup means a standard measuring cup.

[3]Bread, pasta, or noodle products and cereal grains shall be whole-grain or enriched. Cornbread, biscuits, rolls, muffins, etc., shall be made with whole-grain or enriched meal or flour. Cereal shall be whole-grain or enriched or fortified.

[4]Serve 2 or more kinds of vegetable(s) and/or fruit(s). Full strength vegetable or fruit juice may be counted to meet not more than one-half of this requirement.

[5]Cooked lean meat without bone.

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